

06-18-04

DAE



ATTORNEY DOCKET NO.
065446.0128

PATENT APPLICATION
09/469,644

#19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Allan R. Griebnow
Serial No.: 09/469,644
Filing Date: December 22, 1999
Group No.: 2613
Examiner Gim S. Philippe
Title: METHOD AND SYSTEM FOR PROVIDING INTEGRATED
REMOTE MONITORING SERVICES

RECEIVED
JUN 23 2004
OFFICE OF PETITIONS

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Ms. Liana S. Chase

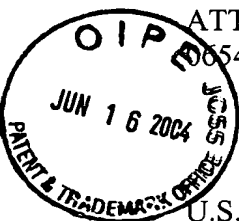
Dear Sir:

RESPONSE TO DECISION ON PETITION FOR REVIVAL OF APPLICATION
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)

In response to decision on Petition for Revival under 37 C.F.R. 1.137(b) filed on March 31, 2004, Applicant hereby submits this Response to the dismissal of Petition for Revival.

On March 31, 2004, attorneys for Applicant submitted the following documents to the United States Patent and Trademark Office (USPTO) via Express Mail Receipt No. EV 324643555 US:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. 1.137(b);
2. Check No. 120380 in the amount of \$665.00 to cover the fee for the Petition for Revival;
3. Statement of Allan Frank under 37 C.F.R. 3.73(b);
4. Response Pursuant to 37 C.F.R. 1.111; and
5. Power of Attorney and Correspondence Address Indication Form.



ATTORNEY DOCKET NO.
065446.0128

PATENT APPLICATION
09/469,644

As previously mentioned, the above-identified documents were sent to the U.S. Patent and Trademark Office via Express Mail, however, Mail Stop PETITION was not indicated on the Express Mail receipt, and Applicant believes that upon receipt in the USPTO mail room the documents were separated and processed separately. Accordingly, Applicant hereby submits true and correct copies of the following documents, originally filed on March 31, 2004, for consideration by Petitions Examiner Chase:

- 1). Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. 1.137(b);
- 2). Statement of Allan Frank under 37 C.F.R. 3.73(b); and
- 3). Response Pursuant to 37 C.F.R. 1.111.

Also enclosed is a corrected Power of Attorney and Correspondence Address Indication Form, signed by Assignee on June 11, 2004.

While Applicant believes that Check No. 120380 in the amount of \$665.00 was received, as indicated on the copy of the original stamped return acknowledgement postcard, a copy of which is attached, the Commissioner is hereby authorized to charge any fees which may be due in connection with the Petition for Revival to Deposit Account No. 02-0384 in the name of Baker Botts, L.L.P.

For the foregoing reasons, Applicant respectfully request that the Petition for Revival be granted.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicant

Kevin J. Meek
Reg. No. 33,738

Date: June 16, 2004
BAKER BOTTS, L.L.P.
2001 Ross Avenue
Suite 600
Dallas, TX 75201-2980
(214) 953-6680

ATTORNEY DOCKET NO.
065446.0128

PATENT APPLICATION
09/469,644

Enclosures: Petition for Revival of an Application for Patent Abandoned Unintentionally
 under 37 C.F.R. 1.137(b), dated March 31, 3004
 Statement of Allan Frank under 37 C.F.R. 3.73(b), dated March 31, 2004
 Response Pursuant to 37 C.F.R. 1.111, dated March 31, 2004
 Copy of acknowledgement return postcard, dated March 31, 2004
 Copy of Express Mail Receipt No. EV 324643555 US, dated March 31, 2004
 Corrected Power of Attorney and Correspondence Address Indication Form,
 dated June 11, 2004



PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

065446.0128

First named inventor: Allan R. Griebenow

Application No.: 09/469,644

Art Unit: 2613

Filed: December 22, 1999

Examiner: Gims S. Philippe

Title: Method and System for Providing Integrated
Remote Monitoring Services**RECEIVED**

JUN 23 2004

OFFICE OF PETITIONSAttention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9306NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☒ Small entity-fee \$ 665.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of a Response☐ has been filed previously on _____ (Identify type of reply):
☒ is enclosed herewith.

B. The issue fee of \$ _____

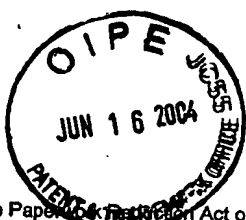
☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete,
including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments
on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent
and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS
ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV324643555US



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. **STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

3/31/04
Date


Signature

Telephone
Number: 972.250.5956

Michael H. Beber
Typed or printed name
Axcess, Inc.
3208 Commander Drive
Address

Carrollton, Texas 75006
Address

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.


Date

Signature

Type or printed name of person signing certificate

The "Received" stamp of the Patent and Trademark Office imprinted hereon acknowledges the filing.

Total Pages		Total Pages	
<input type="checkbox"/> New Appln.; C.P.A.; Con.; CIP.; Div.; Provisional; Converted Provisional (Specification, Claims, Abstract)	_____	<input type="checkbox"/> Mo. Extension of Time	_____
<input type="checkbox"/> Bibliographic Data Sheet	_____	<input type="checkbox"/> Notice of Appeal	_____
<input checked="" type="checkbox"/> Declaration/Power of Attorney & Assignment	1	<input checked="" type="checkbox"/> Appellate Stmt Under 37 CFR 3.73(b)	1
<input type="checkbox"/> Corresp. Address	_____	<input type="checkbox"/> Issue Fee Transmittal	_____
<input type="checkbox"/> Verified Statement	_____	<input checked="" type="checkbox"/> Check No. 120380 Amt.: \$665.00	_____
<input type="checkbox"/> Formal Drawing	_____	<input type="checkbox"/> Check No. _____ Amt.: _____	_____
<input type="checkbox"/> Informal Drawings	_____	<input checked="" type="checkbox"/> Serial No. 09/469,644	_____
<input checked="" type="checkbox"/> Amendment/Response	10	<input checked="" type="checkbox"/> Other Pet. Revival Appln Unitent. Under... (2 pages)	_____

Name of Inventor(s): A. R. Griebenow		Receipt Date & Serial No:	
Title of Invention: M/S for Providing Integrated Remote Monitoring Services			
Client or Applicant: Aaccess Inc.	BB File No.: 065446.0128		
Mailed: 03/31/04	Certificate of Mailing Express Mail <input checked="" type="checkbox"/> Receipt No.: EV 324643555 US		
Due:	Certificate Of Mailing First Class Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/>		
Atty/Secy: TJS/MEC/eag			



EV 324643555 US



UNITED STATES POSTAL SERVICE®

Customer Copy
Label 11-F June 2002

Post Office To Addresssee

ORIGIN (POSTAL USE ONLY)			
PO ZIP Code	Day of Delivery	Flat Rate Envelope	
33104	<input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	<input type="checkbox"/>	
Date In	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage	
Mo. Day Year	Military	\$	
Time In	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	
<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Int'l Alpha Country Code	COD Fee	Insurance Fee
Weight	Acceptance Clerk Initials	Total Postage	Fees
lbs. ozs.		\$12.50	
No Delivery			
<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday			

DELIVERY (POSTAL USE ONLY)			
Delivery Attempt	Time	Employee Signature	
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Delivery Attempt	Time	Employee Signature	
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Delivery Date	Time	Employee Signature	
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance and/or waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.			
<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday			
Customer Signature			

CUSTOMER USE ONLY	
METHOD OF PAYMENT:	
Express Mail Corporate Acct. No.	
FROM: (PLEASE PRINT)	PHONE: 214, 953 6500
BAKER BOTTS L.L.P. 2001 ROSS AVE STE 600 DALLAS TX 75201-2900 065446.0128 04722 Cox/eag	

Federal Agency Acct. No. or Postal Service Acct. No.
TO: (PLEASE PRINT)
PHONE: ()
MAIL STOP COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA VA 22313-1450

PRESS HARD.
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



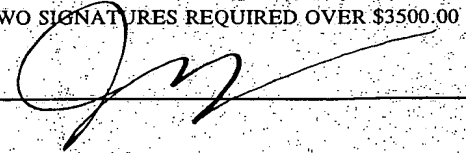
BAKER BOTTS L.L.P.ATTORNEYS AT LAW
800 Trammell Crow Center
2001 Ross Avenue
Dallas, Texas 75201INQUIRIES: (214) 953-6500
TAXPAYER I.D. #74-1195457

Invoice No.	Date	Voucher	Gross Amount	Discount	Net Amount
I4467459	03/30/2004	065446.0128 PETITION 1086801	665.00	0.00	665.00
Check No. 120380		Check Date 03/31/2004	Vendor No. 11135		
Vendor Name COMMISSIONER OF PATENTS AND			Total Amount 665.00		

Bank of America - Dallas
Dallas, Texas**BAKER BOTTS L.L.P.**ATTORNEYS AT LAW
Dallas Operating AccountCHECK # 120380
DATE 03/31/200435-2
1130

\$ *****665.00

PAY SIX HUNDRED SIXTY-FIVE AND 00/100 Dollars

TO
THE
ORDER
OFCOMMISSIONER OF PATENTS AND
TRADEMARKSNOT NEGOTIABLE SIX MONTHS
FROM THE DATE OF ISSUE
TWO SIGNATURES REQUIRED OVER \$3500.00

⑈ 120380 ⑈ ⑆ 13000023⑆ ⑈004140002895⑈

Transaction List

Search by

☐ Accounting Date: Operator ID:
(MMDDYY)

Accounting Date

Starts:

Ends:

☒ Name/Number:

☐ Attny Docket No.:

☐ Deposit Account No.:



Accounting Date	Operator ID	Seq. No.	Txn Src	Fee Code	St	Amount	Name/Number	Dep Acct
04/07/2004	AWONDAF1	190	SALE	2453	A	685.00	09469644	
03/22/2000	KZEWDIE	116	SALE	581	A	40.00	09469644	
03/22/2000	KZEWDIE	115	SALE	205	A	65.00	09469644	
01/12/2000	ASELLMAN	126	SALE	202	A	39.00	09469644	
01/12/2000	ASELLMAN	125	SALE	203	A	63.00	09469644	
01/12/2000	ASELLMAN	124	SALE	201	A	380.00	09469644	



Adjustment Detail

Authorization Detail

